

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

**IN RE: Lewis Joseph Starks
Shirley Ann Cofield-Starks**

**CHAPTER 13
CASE NO. 15-60209**

MOTION TO INCUR POST-PETITION INDEBTEDNESS

Comes now **Lewis Joseph Starks & Shirley Ann Cofield-Starks**, Debtor(s), and move the Court for authority to incur indebtedness and in support thereof status unto the Court as follows:

1. Your Debtor(s) filed a Chapter 13 bankruptcy proceeding in this Court on **May 4, 2015**, and the Chapter 13 Plan has not been confirmed.
2. As of the present time, the Debtor's Plan is in effect and the Debtors are not in default.
3. That your Debtor(s) desire to incur a new indebtedness, the terms of which are as follows:

The Debtor(s) wish to accept terms for loan modification for real property known as 8811 Pocket Lane, Esmont, Virginia 22937 with the total amount to be re-financed approximately \$206,547.76 with and interest rate of approximately 4.000%. The monthly principal and interest payment will be \$638.24, with a total monthly payment of \$764.53. See attached Exhibit A.

- **Will remain with their current mortgage holder: Caliber Home Loans (Mortgagee)**
 - **The Terms of the mortgage will be modified to reduce their current monthly mortgage payment.**
 - **The terms of the Re-Finance Agreement will have the clients' loan become current and the clients to resume with their new mortgage payment as of June 27, 2015.**
4. That your Debtor(s) believe that incurring the new indebtedness is necessary and proper, that your Debtor(s) are able to repay said indebtedness upon the terms set forth hereinabove, and the purpose for incurring the new indebtedness is as follows:

The Debtor(s) wish to wish to accept a Loan Modification for this property. The Debtor(s) do not feel this will be a burden on their finances and are requesting your permission to obtain a Loan Modification.

WHEREFORE, your Debtor(s) respectfully request the Court to authorize your Debtors to incur the indebtedness described hereinabove for the purposes previously stated.

Date: 9/22/2015

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